

United States Court of Appeals For the First Circuit

No. 24-1142

CURTIS L. HOWELL,

Plaintiff - Appellant,

v.

BOSTON MEDICAL CENTER HOSPITAL; BOSTON POLICE DEPARTMENT;
MASSACHUSETTS ATTORNEY GENERAL,

Defendants - Appellees.

Before

Barron, Chief Judge,
Kayatta and Montecalvo, Circuit Judges.

JUDGMENT

Entered: July 10, 2024

Pro se plaintiff-appellant Curtis Howell appeals from the sua sponte dismissal of his civil action. The district court dismissed at the screening stage and did not first give notice of perceived defects and an opportunity to amend the complaint. See 28 U.S.C. § 1915(e)(2)(B)(ii) (allowing district court to dismiss an IFP action at any time if the court determines that the action fails to state a claim on which relief may be granted); Bradshaw v. Corr. Med. Servs., Inc., 6 F. App'x 45, 46 (1st Cir. 2001) (unpublished per curiam) (reviewing screening dismissals for failure to state a claim de novo).

Following a careful review of the arguments presented on appeal and relevant portions of the record, we conclude that the appeal presents "no substantial question" and that summary affirmance is in order. 1st Cir. R. 27.0(c). With his opening brief, Howell has not sufficiently developed any claims of error and thus has not demonstrated error in the district court's dismissal. See United States v. Zannino, 895 F.2d 1, 17 (1st Cir. 1990) ("[I]ssues adverted to in a perfunctory manner, unaccompanied by some effort at developed argumentation, are deemed waived."). We arrive at this conclusion substantially for the reasons set out by the district court when it dismissed the complaint. Finally, we note that, on appeal, Howell complains that he was entitled to an opportunity to amend his complaint, but he has not identified any potential amendment to the

complaint that might have rendered his claims plausible. See Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (plausibility standard).

All pending motions, to the extent not mooted by the foregoing, are denied.

Affirmed. See 1st Cir. R. 27.0(c).

By the Court:

Maria R. Hamilton, Clerk

cc:

Curtis L. Howell

Andrea J. Campbell